

## **7     *MAKING THE VISION HAPPEN***

### **7-1   HARBOR ADMINISTRATION**

Specific authority and responsibility for harbor economic development and Gloucester Harbor Plan/DPA Master Plan implementation should be assigned to a new office within the Department of Community Development.

The Community Development Department is part of the executive branch of City government and has overall responsibility for coordinating the physical growth and economic development of the City, as well as the development of municipal facilities. Gloucester Harbor is and always has been an important part of the City's economic base. The complexities, conditions and issues affecting use, development and redevelopment of the waterfront and harbor require the capabilities and resources of the Community Development Department. For this to succeed, the Community Development Department must develop or secure capabilities specific to the working waterfront: an understanding of the requirements and operational characteristics of port and waterfront industries, particularly commercial fishing; knowledge of the public and private programs and incentives supporting the industrial waterfront; and knowledge of the multiple regulatory authorities with jurisdiction over the waterfront and waters of the Harbor.

The Community Development Department's efforts in the Harbor will be guided by the Gloucester Harbor Plan/DPA Master Plan. A Harbor Committee, appointed by the Mayor, will serve in an advisory capacity to the Community Development Department and monitor and promote implementation of the Harbor Plan/DPA Master Plan.

Responsibilities of the Department of Community Development with respect to Gloucester Harbor will be to:

- Encourage and coordinate investment in and revitalization of the waterfront infrastructure and businesses contributing to the economic vitality of Gloucester.
- Work with other City boards, commissions, and authorities to coordinate the activities related to Gloucester Harbor and adjacent shorefront.
- Be responsible for review and recommendations on Chapter 91 license applications.
- Prepare proposals seeking financial support from state and federal sources in support of port development.
- Serve as a source, repository and clearinghouse for information on the Harbor and Port including: condition of the navigable waterways and port-related infrastructure, investment opportunities, and permitting.
- Serve as liaison with state and federal agencies on Harbor programs, and regulatory and funding activities.
- Draft policies and regulations to guide the use and development of Gloucester Harbor and its public waterfront facilities.
- Assist harborfront property owners with regulatory matters, potential funding sources, and business partnerships.
- Foster and support partnerships between private property owners and government to improve and expand appropriate port uses and activities.
- Work with the commercial fishermen's associations and fishing-related businesses to help ensure this industry continue to be a vital part of the Port of Gloucester.

### ***Specific Language for Revising the Gloucester Zoning Ordinance***

(this will follow the proposals in section 5, once endorsed by the HPIC)

#### ***DPA Supporting Use Mitigation***

Although the central purpose for the designation of a port area is to shelter those waterways and associated waterfronts conducive to water dependent industrial activities, the Chapter 91 program recognizes that a certain amount of economic diversification is needed within the DPA and allows for up to 25 percent of a property to be a Supporting Commercial Use. Because Gloucester's DPA is so densely developed, not exclusively industrial, and in need of new economic investment, this Plan recommends an alternative application of this Supporting Use limitation. The Plan recommends the waterfront be divided into three separate zoning districts and that a percentage of Supporting Uses equal to or greater than 25 percent of the land area be allowed within each of these districts. The Chapter 91 regulations enable such a modification as long as the total amount of Support Uses allowed within the DPA does not exceed 25 percent of the total land area within the DPA. To compensate, those waterfront properties that are entitled to a greater density of Supporting Uses on their property will be required to invest a given amount of money into the infrastructure that is critical to the water dependent industrial uses on their property or to contribute to a municipal Harbor Improvement Fund. A methodology will be developed to govern the determination of the extent to which investment or a monetary contribution will be required.

#### **Gloucester Harbor Improvement Fund**

This Plan recommends that Gloucester City Council establish a Harbor Improvement Fund. The purpose of the Harbor Improvement fund is to receive Chapter 91 DPA mitigation funds, the proceeds of which will be used without further appropriation to dredge or improve waterfront infrastructure deemed critical to the Gloucester DPA. The licensee has the option of making a lump sum contribution to the Fund or making annual payments amortized over the standard license term for a water-dependent or nonwater-dependent use project. In addition, upon recommendation of the Harbor Committee, an alternative payment schedule involving partial deferments may be authorized in unusual cases.

All cash contributions collected as a condition of Chapter 91 licensing will be deposited in this Harbor Improvement Fund along with any other funds from grants, gifts, and other sources. These funds are to be used for purposes consistent with the Harbor Plan and expenditures made in accordance with a priorities plan adopted and revised from time to time by the Harbor Committee. Funds will be used to make improvements or construct new waterside facilities in support of commercial fishermen and other marine industrial activities.

DEP is responsible for determining the contribution in accordance with the Appendix X methodology and will require payment as a condition of licensing. The City is responsible for collecting the moneys and administering the Harbor Improvement Fund, into which all collections will be deposited. As part of this collection program, the City may create liens against the property for overdue accounts, so that title to the property cannot be passed until the lien is satisfied. Also, DEP's enforcement powers may be useful if the City has difficulty with overdue payments. Licenses should include a condition stating that non-payment over a specified time period (maybe three (3) years) will be grounds for enforcement action (including penalties and possible license revocation).